

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76829 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- MARAUNA District- Supaul

Kaushalendra Yadav, son of Late Ram Prasad Yadav, Resident of Village-
Khushiyali, P.S.- Marauna, District- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 03-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Marauna P.S. Case No.35 of 2018 for the offence punishable
under Sections 366(A) and 34 of the Indian Penal Code.

The allegation against the petitioners is that he along
with his son Jitan Yadav and another co-accused has abducted
the daughter of the informant inasmuch as the daughter of the
informant was sleeping in her house and in the next morning,
she was not found in the house. The informant alleged that one
Najmun Khatoon and Domni Khatoon who had called the
daughter of the informant in the evening around 7:00 P.M. on
the date of occurrence, i.e., 16.03.2018, subsequently informed
the informant that the marriage of daughter has been finalized



with Jitan Yadav, i.e., son of this petitioner in presence of other co-accused persons.

Learned counsel for the petitioner submits that the petitioner is the father of Jitan Yadav with whom the girl has eloped and the allegation has been leveled against the father along with other persons. He further submits that two accused persons, namely, Nazmun Khatoon and Domni Khatoon had called the victim girl in the evening on 16.03.2018 and further informed that marriage of her daughter has been fixed with Jitan Yadav. Co-accused persons, Nazmun Khatoon and Domni Khatoon have been granted bail by this Court in Cr. Misc. No.2405 of 2019 and 29497 of 2019 respectively.

Learned counsel for the State after referring the case diary has submitted that the girl has not been recovered as yet and police is trying its best to recover the girl and record statement under Section 164 Cr.P.C. He further submits that petitioner is the father of Jitan Yadav, the marriage of whom has allegedly been fixed with the victim girl with the help of other co-accused persons.

After having learned counsel for the petitioner as well as learned counsel appearing for the State and taking into consideration the fact that the petitioner is father of a person



with whom the marriage of victim girl was allegedly fixed in presence of other co-accused persons, I am inclined to grant anticipatory bail to petitioner.

Accordingly, the petitioner is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioner, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Supaul, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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